

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

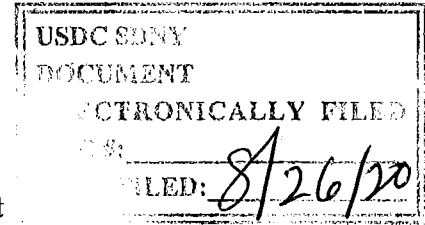
UNITED STATES OF AMERICA

v.

MICHAEL MAGNALDI,

Defendant.

Consent
Order of Restitution



Upon the application of the United States of America, by its attorney, Audrey Strauss, Acting United States Attorney for the Southern District of New York, David R. Felton, Assistant United States Attorney, of counsel; the presentence report; the Defendant's conviction on Counts One and Two of the above Information; and all other proceedings in this case, it is hereby ORDERED that:

1. Amount of Restitution

MICHAEL MAGNALDI, the Defendant, shall pay restitution in the total amount of \$476,184, pursuant to 18 U.S.C. §§ 3663, 3663A, and 3664 to the Internal Revenue Service ("IRS"), the victim of the offenses charged in Counts One and Two, as set forth below. Upon advice by the United States Attorney's Office of a change of address of a victim, the Clerk of the Court is authorized to send payments to the new address without further order of this Court.

A. Joint and Several Liability

Restitution is not joint and several with other defendants or with others not named herein.

2. Schedule of Payments

Pursuant to 18 U.S.C. § 3664(f)(2), in consideration of the financial resources and other assets of the Defendant, including whether any of these assets are jointly controlled; projected earnings and other income of the Defendant; and any financial obligations of the Defendant;

including obligations to dependents, the Defendant shall pay restitution in the manner and according to the schedule that follows:

The total amount of restitution is due and payable immediately pursuant to 18 U.S.C. § 3572(d)(1), upon entry of this judgment.

The Defendant will be given credit against the restitution amount for any payments made prior to the date of this Order, as verified by the United States Attorney's Office for the Southern District of New York.

3. Payment Instructions

To the extent the Defendant's restitution obligation is not fully satisfied, the Defendant shall make any future restitution payments, if any, by certified check, bank check, money order, wire transfer, credit card, or cash. Checks and money orders shall be made payable to the "SDNY Clerk of the Court" and mailed or hand-delivered to: United States Courthouse, 500 Pearl Street, New York, New York 10007 - Attention: Cashier, as required by 18 U.S.C. § 3611. The Defendant shall write his name and the docket number of this case on each check or money order. Credit card payments must be made in person at the Clerk's Office. Any cash payments shall be hand delivered to the Clerk's Office using exact change, and shall not be mailed. For payments by wire, the Defendant shall contact the Clerk's Office for wiring instructions.

Because the victim is the IRS, the Clerk's Office shall forward all restitution payments to the below address within 30 days of receiving said payments from the Defendant:

IRS - RACS
Attn: Mail Stop 6261, Restitution
333 W. Pershing Ave.
Kansas City, MO 64108

4. Additional Provisions

To the extent the Defendant's restitution obligation is not fully satisfied, the Defendant shall notify, within 30 days, the Clerk of Court, the United States Probation Office (during any period of probation or supervised release), and the United States Attorney's Office, 86 Chambers Street, 3rd Floor, New York, New York 10007 (Attn: Financial Litigation Unit) of (1) any change of the Defendant's name, residence, or mailing address or (2) any material change in the Defendant's financial resources that affects the Defendant's ability to pay restitution in accordance with 18 U.S.C. § 3664(k). If the Defendant discloses, or the Government otherwise learns of, additional assets not known to the Government at the time of the execution of this order, the Government may seek a Court order modifying the payment schedule consistent with the discovery of new or additional assets.

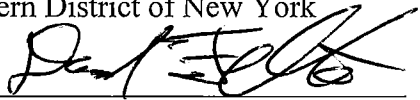
5. Restitution Liability

The Defendant's liability to pay restitution shall terminate on the date that is the later of 20 years from the entry of judgment or 20 years after the Defendant's release from imprisonment, as provided in 18 U.S.C. § 3613(b). Subject to the time limitations in the preceding sentence, in the event of the death of the Defendant, the Defendant's estate will be held responsible for any unpaid

balance of the restitution amount, and any lien filed pursuant to 18 U.S.C. § 3613(c) shall continue until the estate receives a written release of that liability.

AGREED AND CONSENTED TO:

AUDREY STRAUSS
Acting United States Attorney for the
Southern District of New York

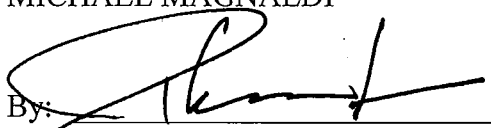
By: 
DAVID R. FELTON
300 Quarropas Street
White Plains, New York 10601
Tel.: (914) 993 – 1908

8/26/2020
DATE

MICHAEL MAGNALDI

By: 
MICHAEL MAGNALDI

August 26, 2020
DATE

By: 
PATRICK A. MULLIN, ESQ.
45 Rockefeller Plaza
Suite 2000
New York, New York 10111
Tel.: (212) 639-1600

8/26/2020
DATE

SO ORDERED: 
HONORABLE VINCENT BRICCETTI
UNITED STATES DISTRICT JUDGE

8/26/2020
DATE